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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,048	12/14/2001	Matthias Stefan Bierbrauer	DE920000125US1	7481

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EXAMINER	
LUDWIG, MATTHEW J	
ART UNIT	**PAPER NUMBER**
2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/020,048	BIERBRAUER ET AL.	
	Examiner	Art Unit	
	Matthew J. Ludwig	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 June 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment received 6/1/2007.

2. Claims 1-17 are pending in the application. Claims 1, 5, 10, and 13, are pending in the application.

3. Claims 1-17 rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez have been withdrawn pursuant to applicant's amendment.

Claim Objections

4. Claims 1, 2, 5, 10, and 13, are objected to because of the use of the word 'physical' when it used with the phrase 'physical representation'. The claim language seems to be directed towards something a user of the document processing system could touch rather than something a user is placing in a repository. The meaning of the term physical when used with the phrase 'physical representation for the single document based on the obtained structural information, meta information and document content' could be read as a printed document because of the word physical. The Examiner is interpreting the claim language as something a user could visualize, such as the content found in indexed content. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffert et al., USPN 5,903,892 filed (4/30/1997).**

In reference to independent claim 1, Hoffert teaches:

As the crawler crawls the web, those pages, which contain media references, receive a higher priority for processing than those pages which do not reference media. Each HTML page is scanned for predetermined types of HTML tags (compare to "***obtaining structural information describing the structural elements of a sequential file of documents in which the single document is located***"). See column 3, lines 33-67 and column 4, lines 1-45. The reference fails to explicitly state 'sequential order', regarding the structural elements of a file. However, the reference states priorities for selection of webpages which reference media. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the well known webpage selection techniques of Hoffert and utilized the priority methods for analyzing an ordered set of webpages which would provide a user with enhanced categorization of content.

Each HTML page is scanned for predetermined HTML tag types. The following tags are scanned for: lists, headings, header separators (compare to "***obtaining meta information describing the properties of the single document***"). See column 4, lines 31-45.

Often a web page, which references a media file, provides significant description of the media file as textual information on the web page. When indexing a media file, the present invention has recognized that it would be useful to utilize this textual information (compare to "***obtaining document content of the single document***"). See column 4, lines 31-67.

The described method for estimating motion content and brightness, contrast and color can be used together with the described algorithm for searching the worldwide Internet in order to index and intelligently tag digital multimedia content. A user could execute the query: find me all video from slow moving to fast, by Steven Spielberg, and the database engine would return a list of search results, ordered from slowest to fastest within the requested motion range (compare to "***creating a physical representation for the single document based on the obtained structural information, meta information and document content and transferring the created physical representation to the document repository***"). See column 8, lines 30-67.

The media indexing system as taught by Hoffert allows for searching of media files on a distributed network such as the internet and crawling the network, indexing media files, examining, analyzing the media file's content, and presenting summaries to users of the system.

In reference to dependent claim 2, Hoffert teaches:

The physical representation disclosed within the reference suggests a media index generated by storing information, which is in an index format. See column 7, lines 26-54. the reference fails to explicitly state the physical representation for the single document is a binary format, however, it would have been obvious to one of ordinary skill in the art at the time invention was made, to have utilized the different formats disclosed within the Hoffert reference and presented a representation in a binary format as the format was well-known at the time the invention was made and utilized in database content.

In reference to dependent claim 3, Hoffert teaches:

If there is a media URL then the media URL is located and stored. Relevant lexical information is selected for each URL. The URL is a proficient example of a document identifier and utilized in the indexing of documents. See column 4, lines 40-67.

In reference to dependent claim 4, Hoffert teaches:

In order to determine if a given video file contains low, medium or high amounts of motion, it is disclosed to derive a single valued scalar which represents the video data file to a reasonable degree of accuracy. The method described is appropriate for those video files which may be in a variety of different coding formats, and need t be analyzed in a uniform uncompressed format. See column 9, lines 35-56.

In reference to claims 5-9, limitations reflect similar language for moving a single document between a document processing system and a document repository as claimed in 1-4. The claims are rejected under similar rationale.

In reference to claims 10-17, the limitations reflect the system and computer program product for moving a single document between a document processing system and a document repository as claimed in 1-4. Therefore, the claims are rejected under similar rationale.

Response to Arguments

7. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML

STEPHEN HONG
SUPERVISORY PATENT EXAMINER